

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:09-00251

MICHAEL M. OCHENGE

also known as "Mikie"

ROBERT M. OTISO

also known as "Robe' "

PARAMENA J. SHIKANDA

also known as "Joseph Shikanda"

ALBERT E. GUNGA, and

COLLINS A. MASESE

also known as "Collins A. Keanche"

THIRD SUPPLEMENTAL RESPONSE OF THE UNITED STATES OF AMERICA
TO DEFENDANTS' STANDARD DISCOVERY REQUESTS, AND
REQUEST OF THE UNITED STATES FOR RECIPROCAL DISCOVERY

Pursuant to Rule 16 of the Federal Rules of Criminal Procedure, Rule 16.1(a) of the Local Rules of Criminal Procedure, and the Arraignment Order and Standard Discovery Request entered by the Court in this case on December 21, 2009, the United States of America, by counsel, herewith supplements its previous response to defendants' Standard Discovery Requests as follows:

Request E: Permit the defendant to inspect and to copy or photograph books, papers, documents, data, photographs, tangible objects, building or places, or copies or portions of any of those items, if the item is within the government's possession, custody or control, and (i) the item is material to preparing the defense; (ii) the government intends to use the item in its case-in-chief at trial; or (iii) the item was obtained from or belongs to defendant. [Fed. R. Crim. P. 16(a)(1)(E)]

Response:

The United States is providing herewith documents contained on Discovery Disc 1 of 1 which documents are identified on an index also contained on Discovery Disc 1 of 1. These documents include a more specific inventory of records acquired during the execution of search warrants and consent search which as the United States has previously advised are available for inspection and copying. Additionally, the United States is providing Discovery Disc 2 of 2 which contains the examination of computers acquired during the execution of the searches.

Any discovery provided that is not mandated by Court order, the Federal Rules of Criminal Procedure, federal statute or federal case law, is provided voluntarily as a matter of discretion solely to expedite and facilitate litigation of this case.

REQUEST OF THE UNITED STATES FOR RECIPROCAL DISCOVERY

Pursuant to Rules 16.1(b) and 16.1(d) of the Local Rules of Criminal Procedure, the United States of America requests that

defendant provide all applicable reciprocal discovery within 10 days of the service of this response and the provision of materials requested by defendant in the Standard Discovery Request.

Respectfully submitted,

CHARLES T. MILLER
United States Attorney

By:

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CERTIFICATE OF SERVICE

It is hereby certified that service of the foregoing "SECOND SUPPLEMENTAL RESPONSE OF THE UNITED STATES OF AMERICA TO DEFENDANTS' STANDARD DISCOVERY REQUESTS, AND REQUEST OF THE UNITED STATES FOR RECIPROCAL DISCOVERY" has been electronically filed and service has been made on opposing counsel by virtue of such electronic filing and via U.S. mail on this 25th day of March 2010, to:

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